

Jean M. Lorizio, Esq.
Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

NOTICE OF SUSPENSION

July 19, 2018

**FRONT STREET LIQUOR INC. D/B/A SCITUATE PACKAGE STORE
184 FRONT ST.
SCITUATE, MA 02066
LICENSE#: 88946-PK-1086 / 1086-00023
VIOLATION DATE: 4/14/2018
HEARD: 7/17/2018**

After a hearing on July 17, 2018, the Commission finds Front Street Liquor Inc. d/b/a Scituate Package Store violated M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count).

Therefore, the Commission suspends the license for a period of five (5) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

By decision dated May 19, 2016, the Commission previously ordered a 3-day suspension to be held in abeyance provided no further violations of Chapter 138 or Commission Regulations occurred. Based on the violation found above, the Licensee violated the conditions of that 3-day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The Licensee will serve a total of three (3) days.

The suspension shall commence on Wednesday, September 5, 2018 and terminate on Friday, September 7, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 5, 2018 at 9:00 A.M. It will be returned to the Licensee on September 8, 2018.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION



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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Christopher Temple, Investigator
Joseph Di Cicco, Investigator
Stephen V. Miller, Esq. via facsimile 617-946-4624
Administration, File



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DECISION

**FRONT STREET LIQUOR INC. D/B/A SCITUATE PACKAGE STORE
184 FRONT ST.
SCITUATE, MA 02066
LICENSE#: 1086-88946
VIOLATION DATE: 4/14/2018
HEARD: 7/17/2018**

Front Street Liquor Inc. d/b/a Scituate Package Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 17, 2018, regarding an alleged violation of M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee's Stipulation of Facts;
3. Photocopy of Fraudulent Massachusetts driver's licenses.

There is one (1) audio recording of this hearing.

The Commission took Administrative Notice of the Licensee's record.

FINDINGS OF FACT

1. On Saturday, April 14, 2018, at approximately 7:45 p.m., Investigators Di Cicco and Temple along with Chief Investigator Mahony ("Investigators") and Scituate Police Sergeant O'Brien, conducted an investigation of the business operation of Front Street Liquor Inc. d/b/a Scituate Package Store to determine the manner in which its business was being conducted.
2. While outside of the licensed premises Investigators observed a youthful appearing male subject exit his motor vehicle and enter the store. Shortly thereafter, Investigators observed the male subject exit the premises in possession of alcoholic beverages.

3. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 10/15/2000 (age 17) was in possession of a 12-pack of Corona beer. He presented to Investigators a fraudulent Massachusetts driver's license which he had used to purchase the alcoholic beverages. The minor stated to Investigators that this store was known to the local high school teenagers as a place where one could purchase alcoholic beverages.
5. Later Investigators observed another youthful looking male subject enter the premises, purchase alcohol and exit the premises in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
6. Underage #2, actual date of birth 10/12/2000 (age 17) was in possession of a 12-pack of Corona beer. Minor #2 stated he used a fraudulent Massachusetts driver's license to purchase the alcoholic beverages. Investigators observed that the fraudulent license was in the minor's true name with a false birthdate. Investigators contacted the parents of this minor and informed them of the incident.
7. At approximately 7:30 p.m., Investigators observed two youthful appearing female subjects exit a van and enter the store. Shortly thereafter, Investigators observed the female subjects exit the premises in possession of alcoholic beverages.
8. Underage #3, actual date of birth 3/16/2000 (age 18) was in possession of a bottle of Rubinoff vodka. Minor #3 stated she used a fraudulent Massachusetts driver's license to purchase the alcoholic beverage. Investigators observed that the fraudulent license was in the minor's true name with a false birthdate.
9. Underage #4, actual date of birth 4/14/2000 (age 18) was in possession of a bottle of Tito's vodka. Minor #4 stated she was not asked for identification when she purchased the alcoholic beverage, and she did not have her identification with her.
10. Investigators contacted the parents of these two female minors and informed them of the incident.
11. Investigators entered the premises with Sergeant O'Brien and identified minor #4 to the clerk on duty, Vanessa. Vanessa admitted that she did not ask the minor for identification but she has done so in the past.
12. Investigators informed Vanessa of the violation and that a report would be filed with the Chief Investigator for further action.

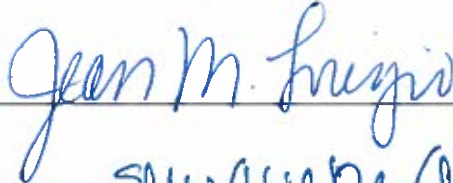
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of five (5) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

By decision dated May 19, 2016, the Commission previously ordered a 3-day suspension to be held in abeyance provided no further violations of Chapter 138 or Commission Regulations occurred. Based on the violation found above, the Licensee violated the conditions of that 3-day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The Licensee will serve a total of three (3) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: July 19, 2018

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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